

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

UNITED STATES OF AMERICA

v.

Criminal Action No. 3:07CR488

CAMERON CLAYTON,

Petitioner.

MEMORANDUM OPINION

By Memorandum Opinion and Order entered on November 15, 2010, the Court denied a 28 U.S.C. § 2255 motion filed by Cameron Clayton. (ECF Nos. 109, 110.) On June 22, 2020, the Court received another 28 U.S.C. § 2255 Motion from Clayton, filed by counsel. ("Successive § 2255 Motion," ECF No. 163).

The Antiterrorism and Effective Death Penalty Act of 1996 restricted the jurisdiction of the district courts to hear second or successive applications for federal habeas corpus relief by prisoners attacking the validity of their convictions and sentences by establishing a "gatekeeping mechanism." Felker v. Turpin, 518 U.S. 651, 657 (1996) (internal quotation marks omitted). Specifically, "[b]efore a second or successive application permitted by this section is filed in the district court, the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application." 28 U.S.C. § 2244(b)(3)(A).

Because the Fourth Circuit has not authorized this Court to entertain Clayton's Successive § 2255 Motion, the Successive § 2255 Motion (ECF No. 163) will be dismissed for want of jurisdiction. A certificate of appealability will be denied.

The Clerk is directed to send the Memorandum Order to Clayton and counsel of record.

/s/

REJ

Robert E. Payne
Senior United States District Judge

Richmond, Virginia

Date:

June 23, 2020